

U.S. ENVIRONMENTAL PROTECTION AGENCY
Washington D.C.

March 29, 2016

MEETING WITH GEORGIA GOVERNOR NATHAN DEAL

DATE: Thursday, March 31, 2016
LOCATION: Governor's Office
MEETING TIME: 8:30am – 9:00am
FROM: Becky Cook-Shyovitz

I. PURPOSE

This short meeting is designed as a meet and greet with Governor Nathan Deal, to further your personal interest in meeting all of the nation's governors in person. While largely introductory, you can discuss

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II. PARTICIPANTS

Attendees

- Governor Nathan Deal
- TBD staff, Office of Governor Deal

Staff

- **YOU**

III. SEQUENCE OF EVENTS

- Free-flowing conversation.

V. PRESS

- Closed press.

VII. SUGGESTED INTRODUCTORY POINTS

- I UNDERSTAND YOUR LEGISLATURE JUST ENDED LAST WEEK. CONGRATULATIONS ON GETTING THROUGH IT! I KNOW FROM MY STATE EXPERIENCE HOW EXHAUSTING SESSIONS ARE – AND NOW YOU GO RIGHT FROM THAT TO, NOW, INTERNAL BILL REVIEW. I DO WANT TO COMMEND YOU ON YOUR LEADERSHIP WITH RESPECT TO THE BILL YOU JUST VETOED.
- AT EPA, OUR STATUTES REQUIRE COOPERATIVE FEDERALISM AND THE PARTNERSHIP WITH HAVE WITH STATES IS CRITICAL. GIVEN THAT, SINCE I HAVE BECOME ADMINISTRATOR, IT'S BEEN IMPORTANT TO ME TO MEET GOVERNORS – SO THANK YOU FOR THIS TIME.
- IN ADDITION TO GETTING TO KNOW GOVERNORS, WE ARE ALWAYS STRIVING TO DEEPEN OUR RELATIONSHIP WITH STATE ENVIRONMENTAL AND HEALTH DIRECTORS AND COMMISSIONERS.
- THROUGH THE ENVIRONMENTAL COUNCIL OF THE STATES (ECOS), WE'VE REALLY SOUGHT TO SOLIDIFY A NEW ERA OF PARTNERSHIP AND CREATED A

JOINT GOVERNANCE STRUCTURE FOR WHAT WE CALL E-ENTERPRISE. MARY WALKER FROM YOUR ENVIRONMENTAL PROTECTION DIVISION SERVES ON THE E-ENTERPRISE LEADERSHIP COUNCIL AND WE'RE GRATEFUL TO HER FOR PARTICIPATION, WORK AND TREMENDOUS INSIGHTS.

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VII. GEORGIA DEPARTMENT OF ENVIRONMENT

- Jud Turner is the Director of the Environmental Protection Division within the Georgia Department of Natural Resources. He is relatively active in ECOS.
- Mary Walker is an Assistant Director of the Environmental Protection Division and is a member of the E-Enterprise Leadership Council.

VIII. ATTACHMENTS

- Clean Power Plan – Georgia Background
- Governor Deal's priorities going into his legislative session
- Bio

GEORGIA - STATE BACKGROUND

GOVERNOR INFORMATION: NATHAN DEAL (R)

* Originally elected 2010, won re-election in 2014, current term ends January 2019.

Talking Points:

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CPP Flexible and GA Can Tailor It

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Georgia is well positioned

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Affordability

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CPP Stay

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Additional info:

BACKGROUND

Regional Considerations

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CPP Engagement/Feedback

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Utility Background/Feedback

- The primary utility is the investor-owned Georgia Power, which serves more than half of the load in Georgia. Georgia Power accounts for 62% of retail electricity sales in Georgia.
- Southern Company (parent of Georgia Power) is the largest owner of affected fossil generation in Georgia. NextEra is another major utility in the state.
 - Southern Co. has filed suit against the CPP.¹
- Georgia Power's next IRP will be in 2016, followed by a rate case.
 - Georgia Power has two new reactors scheduled to come online and has expressed preference for a rate-based plan, which they think will better help them capitalize on the increased power generation from these units.
- There are a number of electric membership cooperatives and municipal-owned utilities.
- Georgia's PSC Chairman plans to help develop compliance plan, and despite loudly criticizing the rule, Georgia regulators have expressed some interest in using a carbon market to comply.²
- Georgia is an importer state, importing on net 16% of the electricity they consume.
- Georgia has a fairly balanced generation portfolio between coal, gas, and nuclear – with some smaller amounts of RE and biomass.
- A major low-emitting new power project within the state is the two new nuclear units at Vogtle. Jack McDonough facility also converted from coal to gas in 2012.
- There has been some discussion/talk by the utilities of the benefits of taking a rate-based compliance approach.

Private-Sector Leaders and Clean Energy Action

- A number of private sector companies headquartered in Georgia are partners with the World Wildlife Federation for climate change initiatives. These include Coca-Cola (focused on water).
- Top 3 Companies (market value) –
 - Coca-Cola Company - \$184B;
 - Home Depot, Inc. - \$132.6B; 2015 ENERGY STAR Partner of the Year;
 - United Parcel Service, Inc. \$97.5B
- 329 ENERGY STAR Partners including 13 ENERGY STAR Award Winners^{3, 4}
- 12 Green Power Partners – three in the Leadership Club⁵
- There have been several recent partnerships with the Army and Navy to install solar on bases within Georgia (over 300MW).

Energy Economics and Opportunities for Green Jobs

¹ <http://www.utilitydive.com/news/southern-co-rural-co-ops-buck-utility-trend-in-challenging-clean-power-pl/408151/>

² http://www.eenews.net/interactive/clean_power_plan/states/georgia

³ http://www.energystar.gov/index.cfm?fuseaction=estar_partner_list.showPartnerResults&s_code=UT&partner_type_id=ALL&cntry_code=US&award_search=N&locality_name=All%20Cities

⁴ http://www.energystar.gov/index.cfm?fuseaction=estar_partner_list.showPartnerResults&s_code=UT&partner_type_id=ALL&cntry_code=US&award=Y&award_search=N&locality_name=All%20Cities

⁵ <http://www3.epa.gov/greenpower/partners/index.htm>

- According to a February 2015 census of clean energy jobs, Georgia was home in 2014 to almost 20,000 clean energy jobs at approximately 675 companies, which generated approximately 2.9B in gross revenue.⁶
 - The three top sectors for clean energy jobs were:
 - Building Efficiency at 10,802 full-time jobs and \$1.3 billion;
 - Biomass/Biofuels at 3,521 full-time jobs and \$297 million; and
 - Solar at more than 2,500 full-time jobs and \$610 million.
- Ranked 14th in the U.S. for number of solar jobs by state and had 2,890 workers employed in the solar industry in 2014, up 328 jobs from the previous year.⁷
- Solar has continued to increase expansion in the state and created jobs in 2015, as evidenced through the solar projects highlighted in the following news stories:
 - **Dominion Power Completed Azales Solar Farm in Washington County, Georgia, Created 100 Jobs**
 - On April 15, 2015 Dominion Power completed a solar farm in Washington County, Georgia. The 7.7-megawatt solar farm is expected to generate enough electricity to power about 2,000 homes. The project created about 100 new construction jobs in the area.
<http://www.41nbc.com/news/local-news/26787-new-solar-farm-bright-spot-for-washington-county-economy>
 - **Solar Plant Under Construction near Columbus, Georgia, to Create 200 Construction Jobs**
 - On April 17, 2015, Georgia Power began construction on a 30-megawatt solar facility at Fort Benning near Columbus, Georgia. The 200-acre facility is expected to generate enough power for 11,000 customers. The project is expected to create 200 construction jobs by 2016.
<http://wvtm.membercenter.worldnow.com/story/28834446/ft-benning-solar-power-project-groundbreaking>
 - **Decatur County Solar Project Under Construction in Bainbridge, Georgia, to Create 100 Jobs**
 - On March 3, 2015, Southern Company and Tradewind Energy announced that the Decatur County Solar Project is under construction in Bainbridge, Georgia. The 168-acre project is expected to generate 19 megawatts of power. The project is expected to create 100 construction jobs by the end of 2015. <http://www.thepostsearchlight.com/2015/03/03/solar-panel-project-to-bring-100-jobs-to-bainbridge-area/>
 - **Silicon Ranch Announces Solar Project Near Hazlehurst, Georgia, to Create Over 100 Jobs**
 - On June 18, 2015, Silicon Ranch Corporation announced plans to begin construction on a 20-megawatt solar project near Hazlehurst, Georgia. The facility is expected to occupy 135 acres, generate \$25 million in local economic activity, and be complete in early 2016. Construction is expected to create between 100 and 200 jobs. <http://www.prnewswire.com/news-releases/silicon-ranch-to-begin-construction-on-large-scale-solar-field-300101636.html>

There have also been a couple of large announcements in 2015 related to clean energy and energy efficiency and jobs in Georgia. Examples include:

- **Biomass Cogeneration Facility Under Construction in Albany, Georgia, to Create 500 Jobs**
 - On February 12, 2015, Procter and Gamble (P&G) announced that a 50-megawatt biomass cogeneration power plant is under construction in Albany, Georgia. The facility is expected to provide power to a P&G paper mill using biomass that would otherwise have been left to decay, burn, or potentially be sent to landfill, such as tree limbs, pecan shells, peanut hulls, and sawdust. The power plant is expected to begin operation by 2017 and create 500 jobs.
<http://news.pg.com/press-release/pg-corporate-announcements/procter-gamble-and-constellation-announce-one-nations-large>
- **Atlanta, Georgia Adopts Energy Efficiency Policy, to Create over 3,000 Jobs**
 - On April 21, 2015, Atlanta, Georgia adopted an energy efficiency policy that is expected to reduce energy consumption in commercial buildings by 20 percent by 2030, reduce carbon

⁶ <http://www.southface.org/default-interior/Documents/2014georgiacensusreport.pdf>

⁷ http://www.thesolarfoundation.org/wp-content/uploads/2015/02/Solar-State-Fact-Sheet_FINAL.pdf

dioxide emissions by 50 percent below 2013 levels by 2030, and require buildings to benchmark and report annual consumption annually. The measure is expected to create 1,000 jobs per year over the next 3 years.

<http://www.atlantaga.gov/index.aspx?recordid=3498&page=672>

Community-Level Action/Engagement

- **Atlanta (Proctor Creek Watershed)** is a part of EPA's Making a Visible Difference in Communities program.
- The cities of Athens, Atlanta, and Decatur are members of the Urban Sustainability Directors Network.
- Out of 51 cities, **Atlanta ranked 15th** on ACEEE's 2015 City Energy Efficiency Scorecard.
- CEIP opportunities: In FY 2014, LIHEAP served 122,161 households for heating needs.

State Energy Mix and Clean Energy Opportunities

- 2014 Electricity Generation Mix:
 - Coal - 36%, Natural Gas - 32%, Nuclear - 26%, Renewables (including hydro and biomass) - 6%
- Currently, Georgia has deployed 204 MW of solar PV capacity (15th in the nation), according to SEIA.
 - There is enough solar energy installed in the state to power 22,000 homes.⁸
 - In 2014, Georgia installed 45 MW of additional solar capacity, ranking 16th nationally.⁹
- Georgia has significant renewable energy potential according to a recent National Renewable Energy Laboratory (NREL) study that examined economic potential and technical potential.¹⁰
 - Georgia could economically increase renewable generation by 500,000 megawatt-hours annually.
 - Georgia has significant technical potential for renewable energy production, particularly for solar, which considers land-use and topographic constraints and system performance.
 - 400 MW of onshore wind potential
 - 3,615,200 MW of solar PV potential
 - 3,578,500 MW of utility-scale solar PV potential
 - 17,200 MW of distributed residential solar PV potential
 - 19,500 MW of distributed commercial solar PV potential

State Clean Energy Policies and Legislation

- Georgia has no renewable portfolio or energy efficiency resource standard, or voluntary renewable energy standard or target.¹¹
- Georgia has mandatory residential and commercial energy codes. The Georgia State Minimum Standard Energy Code was established in 2011. The residential code is based on the 2009 IECC and the commercial code is based on the 2009 IECC and ASHRAE 2007 (the 2012 IECC and ASHRAE 2013 are the most recent and stringent versions available).¹² They were ranked 37th out of 50 states on their energy efficiency policy and program efforts by ACEEE on their 2015 State Energy Efficiency Scorecard. Georgia utilities spent \$36.3 million on energy efficiency programs in 2014.¹³
- Georgia passed HB 57, effective July 1, 2015, that enables Georgians to secure third party financing for the installation of solar energy technology.¹⁴

⁸ <http://www.seia.org/state-solar-policy/>

⁹ <http://www.seia.org/state-solar-policy/>

¹⁰ <http://www.nrel.gov/docs/fy15osti/64503.pdf>

¹¹ <http://www.ncsl.org/research/energy/renewable-portfolio-standards.aspx>

¹² <https://www.energycodes.gov/adoption/states/georgia>

¹³ <http://database.aceee.org/state-scorecard-rank#sthash.eCq5kJ3J.dpufby> the ACEEE Energy Efficiency Scorecard, 2015

¹⁴ <http://programs.dsireusa.org/system/program/detail/574>

- Georgia has one of the largest “voluntary” expansions of solar in the country (being undertaken without an RPS).¹⁵ This was led by the Georgia Public Service Commission in partnership with Georgia Power. By 2016, the company projects it will have contracted for more than 900MW of solar capacity resulting in the largest voluntary renewable portfolio of an investor-owned utility.

CPP-related Litigation

- Part of 24-state lawsuit, filed in the U.S. Court of Appeals for the District of Columbia on 10/23/15 against EPA for 111(d) for existing power plants¹⁶
- Part of a 24-state lawsuit against the NSPS: On November 3, 2015, 24 states and state agencies filed a lawsuit before the United States Court of Appeals for the D.C. Circuit challenging the United States Environmental Protection Agency’s (EPA) new rules limiting the carbon dioxide (CO₂) emissions from new, reconstructed and modified coal and natural gas-fired electric generation units.¹⁷
- [House Resolution 613/Senate Resolution 449](#) – Encouraging EPA to withdraw the proposed Clean Power Plan; supporting the comments submitted to EPA by the GA EPD, Public Service Commission, and Attorney General; encouraging Congress and the President to enact legislation delaying the implementation of the final CPP until certain criteria are met.
 - **Status:** Passed House on 3/25/15. Senate read second time on 3/23. Senate adopted 3/31.
- *October 2015* – Georgia Power announced it has joined with other energy companies across the country in support of a motion to stay the Environmental Protection Agency's (EPA) Clean Power Plan, due to its potential impacts on reliability and affordability of electricity in the state of Georgia.¹⁸

CPP Technical Background

Projected Future Generation

- Even absent CPP, about 3.8 million short tons of CO₂ emissions (representing 6% of 2012 emissions inventory from affected units) are expected to retire. These scheduled retirements can aid compliance with the 26% mass reduction expected under the state goal.
 - Units: Harlee Branch 1, 2, 3, and 4, Jack McDonough 1, Kraft 2, 3, 4, and ST1, McIntosh 1, McManus 1 and 2, Mitchell 3, and Yates 1, 2, 3, 4, and 5
- The 2012 coal fleet would have an average age of 57 years in 2030, with over 6 GW of coal plants 50 years or older.
- Georgia has 9,423 MW of new capacity ((94% nuclear, 6% renewables) under construction and 942 MW of additional new capacity (90% coal, 10% renewables) in advanced development.

State Goals:

- 73 fossil-powered units included in the baseline inventory.
- 34% reduction from 2012 emissions rate
- 26% reduction from 2012 emissions (mass goal)
- -26% - change between proposal and final rate goal
- -33% - change between proposal and final mass goal
- 9% - reduction from 2030 base case rate (a world without the CPP) to final 2030 rate goal

Key Changes from Proposal

- Based on comments requested and received on proposal, EPA revised its BSER approach to: 1) estimate uniform technology rates, 2) regionalize the building blocks, 3) revised building block three (RE) assumptions. These changes resulted in different state goals for most states.

¹⁵ <http://www.solarpowerworldonline.com/2013/12/solar-state-state-report-georgia/>

¹⁶ <http://insideepaclimate.com/climate-beat/litigation-first-state-challenge-filed-updated>

¹⁷ <http://www.michaelbest.com/pubs/pubDetailMB.aspx?xpST=PubDetail&pub=4114>

¹⁸ <http://www.thestreet.com/story/13336835/1/georgia-power-joins-industry-in-seeking-courts-intervention-for-epas-clean-power-plan.html>

- For Georgia, and most other gulf states, it had the impact of loosening the state goal requirement as the reduction potential of its natural gas generating resources (BB2) was spread across the eastern interconnect – not just focused on replacing in-state fossil steam generation.
- Georgia was also one of three states with under construction nuclear. Per the state and its stakeholder comment, EPA no longer included under construction nuclear into the final state goal requirement as it had done at proposal. In the final rule, Georgia can take credit for the under construction nuclear generation in compliance (similar to how a state would take credit for under construction RE), but the under construction source does not result in a more stringent state goal as it did at proposal. This shifted treatment of under construction nuclear from a “stick” to a “carrot” and was one of the state's and other Georgia stakeholders' key concern that we addressed in the final rule.

	2012	2022	Interim	2030	2030 Base Case (Affected EGUs Only)
Final Rate (lbs CO₂/MWh)	1,597	(b) (5)			
Proposed Rate (lbs CO₂ /MWh)	1,598				
<i>Adjusted Proposed Rate (lbs CO₂/MWh)*</i>	1,500				
Final Mass (Million Short Tons CO₂)	62.9				
Rate-To-Mass TSD (Million Short Tons of CO₂)**					

* reflects adjusted baseline emission rate (normalized hydro year and inclusion of under construction affected EGUs)

* removes at-risk nuclear and existing RE to derive proposal metric consistent with final metric

** converted from million metric tons to million short tons in order to ensure consistency in metrics

Bio for Georgia Governor Nathan Deal (from governor's website)



Under Gov. Nathan Deal's leadership, Georgia has risen to become the No. 1 place in the nation in which to do business, a goal achieved by creating the Competitiveness Initiative, reforming our tax code, shaping our educational system to support our workforce needs and recruiting businesses to relocate here.

As Georgia's 82nd governor since January 2011, he has cut state taxes, eliminated state agencies, reduced the state government workforce, saved HOPE from the brink of bankruptcy, championed education innovations and implemented significant cost-saving reforms in our criminal justice system. He fought to increase public safety on our waterways, improved our workforce by aiding veterans and technical college students and enacted

stricter rules on lobbying to boost public trust.

Though he has reduced the size of state government, Gov. Deal has prioritized education and child safety funding as state revenues rebound from the Great Recession. In 2014, the governor increased k-12 spending by more than half a billion dollars, the largest increase in education in seven years, and in his 2015 State of the State address he proposed the creation of a new Opportunity School District to rescue failing schools. As concerned about our children's safety as he is about their education, Gov. Deal has also started a three-year plan to add nearly 500 new child welfare case workers at DFCS.

Gov. Deal's public service to his state spans four decades. The Sandersville native served in the U.S. Army at Fort Gordon in Augusta after graduating with a law degree from Mercer University, and then began a private law practice in Gainesville, the hometown of his wife, Sandra Dunagan Deal. While his wife taught in Hall County public schools, the governor began a long span of service to his community as prosecutor, judge, state senator and U.S. congressman.

During his 17 years in Congress, Deal rose to chair the Health Subcommittee of Energy and Commerce, where he became a noted expert on entitlement reform and health care policy.

Deal ended his congressional career to campaign for governor, becoming the Republican nominee in August 2010 and then winning the governorship in November of that year. In November 2014, Deal was re-elected to a second term in office. He was sworn in again as governor on Jan. 12, 2015.

The governor and first lady have four adult children and six grandchildren.

Governor Nathan Deal Administration Priorities

Governor Deal's January 13, 2016 State of the State address focused largely on education. Governor Deal praised the state's progress over the past five years in workforce development, decreased unemployment, and growing the state's Rainy Day Fund, which had been nearly wiped out by the Great Recession. He called for a 3% pay raise for pre-K-12 teachers and vowed to continue reforming the state's standardized testing practices. In addition to education, he also spoke against Medicaid expansion in Georgia due to "exponentially" growing costs and railed against the Affordable Care Act's requirement that Georgia spend \$2.1 billion in FY17 "to tell the IRS that everyone in our State Health Benefit Plan and Medicaid program is covered" – funds that "could have been put to better use than on bureaucratic paperwork."¹ Governor Deal also called for a 3% pay raise for all state employees. Finally, the Governor praised the passage of House Bill 170 – The Georgia Transportation Act of 2015. The bill will bring in about \$1 billion to invest in the state's backlog of infrastructure repair and maintenance projects, as well as new infrastructure investments, by raising the gas tax, adding a hotel-stay fee, and eliminating a tax break for electric car drivers.

On January 12, Governor Deal announced a 10-year, \$10 billion transportation plan. The plan, which leverages public funding and private financing, includes hundreds of road and bridge resurfacing projects, interchange overhauls, rail updates, and freight improvements, many of which are in the Atlanta-metro area. Critics of the plan have pointed out that it doesn't include any investments in mass transit.

On March 28, Governor Deal announced he will veto HB 757, a "religious liberty" bill. He stated, "This is about the character of our state and the character of its people. Georgia is a welcoming state filled with warm, friendly and loving people. Our cities and countryside are populated with people who worship God in a myriad of ways and in very diverse settings. Our people work side-by-side without regard to the color of our skin, or the religion to which we adhere. We are working to make life better for our families and our communities. That is the character of Georgia. I intend to do my part to keep it that way."²

¹ <https://gov.georgia.gov/press-releases/2016-01-13/deal-%E2%80%99ocean-opportunity-lies-ahead-georgia%E2%80%99s-ship-state>

² <http://gov.georgia.gov/press-releases/2016-03-28/deal-veto-hb-757>

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Piedmont Green Energy Title V permit: A petition was filed on the Title V permit for Piedmont Green Energy located in Barnesville, GA (just South of Atlanta). EPA recently received a notice of intent to sue for not acting on the petition in a timely manner. (b) (5)

CSAPR Litigation: On July 28, 2015, the D.C. Circuit court rendered a decision to remand to EPA the CSAPR Phase 2 SO₂ emission budgets for four states, including GA, due to potential over control. The court held that SO₂ emission budgets over-controlled sources in these four upwind states, since modeling from the 2011 CSAPR proposed rulemaking showed that the only downwind PM_{2.5} problems for which these states were linked would be resolved at a lower cost threshold than EPA's final cost threshold. (b) (5)


City of Atlanta Consent Decree: The EPA is actively tracking and reviewing the occurrence of Sanitary Sewer Overflows (SSO) to waters semi-annually, and the occurrence of Combined Sewer Overflows (CSO) quarterly, as they are reported to us under the terms of the City of Atlanta consent decree (CD). Georgia EPD, which is the NPDES permitting authority, takes on the daily role of primary oversight. During compliance review meetings held quarterly, both agencies have been raising concerns with the City of Atlanta's responsiveness and corrective progress to address the overflows occurring in Proctor Creek and many other areas of the City. Georgia EPD has an ongoing enforcement investigation to address overflows and ongoing concerns with the City's responsiveness and corrective actions.

Brownfields Revitalization in Proctor Creek: EPA is assisting with strategic revitalization of brownfields sites in Atlanta with a priority on sites located in the Proctor Creek Watershed. Partnering with entities such as the Atlanta BeltLine and Emory University to address brownfields in a way that addresses human health impacts on Environmental Justice communities, creates jobs, and proactively works to avoid displacing historic residents as revitalization occurs in communities. EPA Brownfields Staff are working to utilize community led health impact assessment input for investigating sustainable green infrastructure implementation to reduce flooding and improve water quality throughout the watershed.

Fort Gillem Vapor Intrusion: From August 2014 to November 2015, the Army collected three rounds of vapor intrusion (VI) samples in the residential neighborhoods surrounding the BRAC portion of Fort Gillem. The Army also conducted a comprehensive private well survey and a spring survey. The Army plans to submit the Draft VI Report for the BRAC portion of the site to the EPA and GA EPD in April 2016. For the Enclave portion of the site, the Army is planning a soil gas sampling event for Spring 2016. If the soil gas data indicates there is no need to collect indoor air samples, sampling for the VI assessment will be complete and the Army can begin drafting the Enclave VI report in spring 2016. If, on the other hand, the soil gas data indicates 2

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rounds of indoor air sampling are required, the VI assessment process will not be completed until the end of 2016 for the Enclave portion of the site.

1st EPA-led Health Impact Assessment demonstration project in Proctor Creek Region 4 conducted one of two Health Impact Assessments -HIA (*demonstration projects*) nationally here in Atlanta, GA in the Vine City/English Avenue communities which is located in the Proctor Creek Watershed and is also an MVD community. The project was conducted over a 2-year period and completed in May 2015 in partnership with EPA's (ORD) Office of Research and Development, specifically, EPA's "Healthy Communities Research Program." The Proctor Creek HIA Green Street Project was designed to look at both the positive and negative health impacts to the installation of a Green Street. This community has historical flooding issues, CSO (Combined Sewer Overflow) and Stormwater issues, derelict properties, illegal tire dumping, and an impair creek which does not meet state water quality standards for fecal coliform. The green street is being installed by the City of Atlanta the summer of 2017 and the HIA will provide recommendations to improve the proposed design that would maximize benefits to health and the environment. 

Region 4 Partnership with Emory and Georgia Tech's HERCULES Center: Region 4 staff from the Office of Environmental Justice and Sustainability and Brownfields are standing advisory group members for Emory University and Georgia Tech's fairly new HERCULES Center. HERCULES: Health and Exposome Research Center, Understanding Lifetime Exposures is environmental health research center focusing on understanding human health within the context of an individuals' lifetime of environmental exposures. The \$4 million grant from NIEHS (*National Institute of Environmental Health Sciences*) over four years was awarded to establish the center. The exposome is proposed to be the environmental equivalent of the human genome and includes lifetime exposures to environmental pollutants in food, water, physical activity, medications, homes and daily stressors. The HERCULES center will strive to support the Atlanta community in its capacity to address its environmental concerns.

Region 4 in partnership with ORD provides technical assistance to Mold-Mildew study: Region 4's Office of Environmental Justice and Sustainability in partnership with EPA's Office of Research and Development provided technical assistance to community-led Mold and Mildew study conducted in the Proctor Creek watershed. The health survey was funded by Emory's Hercules program where 153 residence out of 507 were randomly selected to participate. The survey found a high prevalence (53%) of mold in homes. 83% of the homes ERMI (Environmental Relative Mold Index) value was greater than 5, with a median of 10. The ERMI values are typically between -10 and 20. ERMI is the Environmental Relative Moldiness Index – the combination of EPA research, powerful PCR technology, and a new method to screen homes for mold. Homes with visible mold growth or a history of water damage and homes with no visible mold were compared. Community members expressed concerns about collecting data with no real remedies for flooding issues (i.e. de-humidifiers, roof and foundation lead repairs) and mold growth in the homes.

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Region 4 develops new partnership with Georgia Tech's Center for Serve-Learn-Sustain: Region 4's Office of Environmental Justice and Sustainability have formed a new partnership with Georgia Tech's new Center for Serve-Learn-Sustain (GT-SLS) and have been in early discussions concerning the framework for the partnership and future projects. GT-SLS's primary theme during the 2016-17 school year will be Environmental Justice. Also, EJ may be integrated into Georgia Tech's curriculum in a number of ways including guest lectures from community leaders and/or EPA staff, service trips, senior design projects, class projects, community events, or by simply working with faculty to develop assignments and lectures that highlight EJ concerns.

Region 4 in partnership with ORD evaluates Green Infrastructure for the MVD community of Proctor Creek: Region 4's Office of Environmental Justice and Sustainability has been selected to participate in EPA's FY16 Regional Research Partnership Program (R2P2). This program, administered by ORD's Office of Science Policy (OSP) with Region 4's research project focused on the evaluation of current and proposed green infrastructure in the Proctor Creek Watershed. The research efforts are to mitigate the frequency and intensity of flood events in underserved populations. As a result, this research will not only inform stakeholders on the relative benefits of alternative green infrastructure projects but will also assist with prioritizing green infrastructure solutions for flood mitigation. This research project will take place from April 1 - Sept. 30, 2016.

Zika Virus Update: As of March 16, 2016, CDC data indicates a total of 258 confirmed travel related cases in 35 states, Puerto Rico, American Samoa and the US Virgin Islands (USVI)—all except 3 being in the 35 states. Region 4 now has 6 states with confirmed cases, as reported by CDC—Alabama (1), Florida (59), Georgia (7), Kentucky (1), North Carolina (6) and Tennessee (1).

Florida continues to have the most cases in the US, with 12 counties reporting confirmed cases. Florida currently accounts for 23% of the travel related cases.

A Zika Summit is scheduled to be held at CDC in Atlanta on April 1, 2016. This conference originated from a Governors' meeting with the President. Currently, 19 states have committed to participate. EPA participation will include representatives from HQ's OPP and Region 4.

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High Level Issues for Meeting with Governor Nathan Deal

Update on Georgia Lead Action Level Exceedances: The EPA Region 4 Water Protection Division (WPD) has recently been working very closely with the State of Georgia's Environmental Protection Division (GAEPD) to identify all of the follow-up actions in response to lead Action Level Exceedances (ALEs) at public water systems (PWSs) in the state dating back to at least 2012. Since 2012, there have been 79 PWSs in Georgia that have reported a lead ALE. The Region 4 WPD has asked the GAEPD to prioritize their focus on water systems categorized as a school or daycare and the large systems (serving a population >100,000 persons). Of the 79 systems in Georgia with a documented ALE since 2012, four (4) are schools/daycares and two (2) are large systems. **Each of these systems, listed below, has implemented the required actions and the most recent monitoring has indicated that all of these are now below the lead action level.** The follow-up actions implemented for each of these includes public education, water quality parameter (WQP) monitoring, standard and increased Pb/Cu tap sampling, and implementation of corrosion control treatment (CCT).

Regarding the required public education that has been completed at the referenced four (4) Georgia schools and daycares, the Region 4 WPD has emphasized to the GAEPD the need to promote the ongoing use of EPA's *3Ts for Reducing Lead in Drinking Water in Schools* program that was developed specifically to assist schools such as these develop an effective lead in drinking water prevention program. Region 4 WPD has requested that the GAEPD ensure that it is used by school officials responsible for the maintenance and/or safety of school facilities, and that a holistic school program include the "training, testing, and telling" approach.

Schools/Daycares

Alpha and Omega Ministries
Bainbridge High School
Marlow Elementary School
White Creek Christian Academy

Large Systems

Columbia County
Warner Robins

Small Systems

The Region 4 WPD is now working closely with the GAEPD to confirm that each of remaining 73 small systems (e.g., systems other than the four schools/daycares and two large systems) with lead action level exceedances have completed the required actions. As of March 25, 2016, the Region 4 WPD has verified with GAEPD that 65 of the remaining systems have conducted, or are conducting, increase monitoring for lead and copper. The GAEPD has also notified each of the PWSs of their ALE, and required both WQP and source-water lead and copper monitoring. Public education has been completed at most of these facilities. In some cases, the PWS has already been deemed eligible to return to reduced (YR) monitoring at the allowed reduced number of sample sites. Five of the systems were not identified as having lead ALEs due to data transmission errors in 2012. For the remaining 3 systems, one was inactivated, one was reclassified as a transient system (not subject to LCR), and one was determined to have a data entry error and did not exceed the lead action level.

Region 4 - Georgia/Atlanta Hot Issues
March 2016

Glades Reservoir Draft EIS (DEIS): The US Army Corps of Engineers, Savannah District (USACE) issued the Glades Reservoir Draft Environmental Impact Statement (DEIS) on October 30, 2015. Glades Reservoir is a proposed project in Hall County, Georgia and is located on Flat Creek, a tributary of the Chattahoochee River on Lake Lanier. The Hall County Board of Commissioners is the Applicant for the proposed project. The Applicant's proposed project would be 850 acres and operated as a pumped-storage reservoir to store water pumped from the Chattahoochee River. The project requires a Clean Water Act Section 404 permit which was applied for on June 10, 2011 in (Permit Application Number SAS-2007-00388). The project will cause a direct loss of 39.2 acres of wetlands and 17.8 miles (94,120 linear feet) of Flat Creek and its tributaries (most are high quality). The Section 404 permit triggers the National Environmental Policy Act (NEPA) and typical 404 permits for reservoirs in Georgia are covered by Environmental Assessments. Due to the water war issues related to Lake Lanier, the Savannah District of the Corps decided to conduct an Environmental Impact Statement.

On Feb 16, 2016, the EPA published a comment letter in accordance with Section 309 of the Clean Air Act (CAA) and gave the DEIS an adverse rating of Environmental Objections with Insufficient Information or EO-2. The EPA agreed with the Corps' independent determination of the basic project as being "to provide reliable water supply residents and businesses of Hall County, Georgia"; however, we did not concur that building a new reservoir is the Least Environmentally Damaging Practicable Alternative (LEDPA). EPA contended that the proposed project will cause losses of wetlands and high quality streams and may take up to 70% of the average annual daily flow from the Chattahoochee River. This large withdrawal may contribute to a failure to maintain designated and existing uses and exceedances of water quality criteria. The EPA identified an alternative of allocating additional storage out of Lake Lanier as the LEDPA. The EPA also had significant concerns with the alternatives analysis presented in the DEIS, in particular the use of the L60 for the no action. L60 represented future allocations from Lake Lanier which have not been granted to the State. The EPA believed the use of future allocations in the no action alternative is inconsistent with NEPA and causes the impacts to be minimized across the alternatives and prevents disclosure of true impacts. The EPA raised concerns that the DEIS did not evaluate the most recent population and water demand data as projected by the Metro North Georgia Water Planning District (August 2015), which indicated that metro Atlanta water demand would decrease 25% from previous projections and Hall County's projected 2050 population growth would decrease 56.3% (from the 2009 projections). The EPA also noted that the Georgia Environmental Protection Division (EPD) (in a letter from EPD dated January 29, 2016 to the USACE) stated that Hall County's water supply needs through 2050 could be met without the Glades Reservoir.

Region 4 - Georgia/Atlanta Hot Issues

March 2016

Southeast Market Pipeline ('Sabal Trail'), Alabama, Georgia, and Florida: The Federal Energy Regulatory Commission (FERC) issued a Draft Environmental Impact Statement (DEIS) in September of 2015 to license the construction and operation of a total of 685 miles of natural gas transmission pipelines and associated facilities consisting of three separate pipeline projects (i.e., Transco's Hillabee Expansion Project, Sabal Trail and Florida Southeast Connection). The proposed project is expected to provide 1.1 billion cubic feet of natural gas to central and northern Florida. EPA Region 4 provided detailed NEPA/Clean Air Act Section 309 comments on the DEIS on October 26, 2015, identifying environmental concerns related to drinking water supplies, sensitive geologic formations (Karst), wetlands, environmental justice (EJ) communities, and air quality and greenhouse gas (GHG) emissions. On November 17, 2015, EPA Region 4 met with the FERC's applicants and they addressed a substantial number of EPA's technical environmental concerns. On December 11, 2015, EPA Region 4 issued a Clean Water Act Section 404 comment letter to the U.S. Corps of Engineers on the FERC applicant's permit applications. On December 18, 2015, the FERC issued a Final Environmental Impact Statement (FEIS) and EPA Region 4 provided some additional technical comments with input from the EPA's Office of Federal Activities on January 18, 2016.

On February 5, 2016, FERC issued a certificate of public convenience and necessity (license) for the projects. In February and March of 2016, several environmental organizations ('Interveners') filed challenges with FERC on the license. On March 22, 2016, the Georgia House of Representatives rejected the Sabal Trail applicant's use of eminent domain through parts of southern Georgia. The Corps of Engineers' Section 404 permits are still pending. EPA Region 4 no longer has any direct involvement with the proposed pipeline projects.

Georgia – Legislative Hot Issues (Bills passed awaiting signature from Governor Deal)

GA - HB544 - Georgia Campus Carry Act of 2015

A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to allow for weapons carry license holders to carry in or on real property or buildings owned by or leased to institutions of postsecondary education; to revise definitions; to clarify the rights of private institutions of postsecondary education to exclude or eject a person from its property who is in possession of a weapon or long gun; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

GA - HB837 - "Religious Freedom Restoration Act" – Governor Vetoes, some are calling for a legislative special session

A BILL to be entitled an Act to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to provide for the preservation of religious freedom; to provide for the granting of relief; to provide for waiver of sovereign immunity under certain circumstances; to provide for definitions; to provide for a short title; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Region 4 - Georgia/Atlanta Hot Issues
March 2016

US Congress House Bill 4827 - Referred to the House Committee on Energy and Commerce.
(3/22/16)

Sponsors - Rep. Henry Johnson [D] Rep. John Conyers [D] Rep. Raul Grijalva [D] Rep. Luis Gutierrez [D] Rep. Eleanor Norton [D] Rep. Stacey Plaskett [D] Rep. Bonnie Coleman [D]
To require the Administrator of the Environmental Protection Agency to review regulations for municipal solid waste landfills to determine if such regulations are, with the respect to the disposal of coal combustion residuals in such landfills, protective of health and the environment, and for other purposes.

- <http://enewspf.com/2016/03/24/coal-ash-bill-would-eliminate-a-federal-loophole-for-landfill-disposal/>

Johnson introduces toxic coal ash bill

U.S. Rep. Hank Johnson, D-Ga., unveiled legislation on Tuesday to overhaul how coal ash is classified by the federal government, and set new rules on how municipal solid waste landfills handle the substance.

The legislation comes on the heels of Johnson's recent letter to U.S. Commission on Civil Rights, in which he asked for more protections against coal ash dust for people who live near landfills.

The proposed legislation is designed to reduce the amount of coal ash dust that drifts into a community while it's being transported, establish rules that require multiple types of groundwater inspections that could occur as often as weekly, bar coal combustion residuals from being 5 feet or less away from groundwater and require public notices about monitoring data, corrective action plans and inspection reports.

"I do not want Georgia residents or anyone in America, regardless of income, neighborhood, race or ethnicity, to be unfairly and unreasonably exposed to toxic chemicals because coal ash is being deposited in inadequately protected facilities near their homes and communities," Johnson said in a statement.

- Gwinnett Daily post, 3/24/16

http://www.gwinnettdaily.com/local/politics/political-notebook-rape-kit-bill-gets-new-life-as-state/article_eefcb3b7-8774-51b2-86d1-3c92a556fe63.html